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**Appropriations Reporting Requirement  
Local Health Department Conformance  
With Food Service Sanitation Regulatory  
Minimum Program Requirements**

**October 2001 through March 2003**

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**Michigan Department of Agriculture  
Food and Dairy Division  
March 2003**

## **Appropriations Reporting Requirement**

# **Local Health Department Conformance With Food Service Sanitation Regulatory Minimum Program Requirements**

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## **I. INTRODUCTION**

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### **PURPOSE**

In accordance with Public Act 516 of 2002, the Michigan Department of Agriculture (MDA) is directed to report on local health department conformance with minimum program requirements. Section 401(1) of Public Act 516 of 2002 states:

The department shall monitor restaurant inspection and licensing functions carried out by local health departments to ensure uniform application and enforcement of minimum program requirements. On or before April 1, 2003, the department shall report to the senate and house appropriations subcommittees on agriculture, the senate and house fiscal agencies, and the state budget director on local health department conformance with minimum program requirements.

This report complies with the above requirement.

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## **II. FOOD SERVICE SANITATION PROGRAM BACKGROUND**

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### **PROGRAM GOAL**

The Food Service Sanitation Program's main goal is to eliminate the risk of foodborne illness from food served at licensed food service establishments. Program standards come from two basic principles: (1) reduce the occurrence of the identified risk factors that are known to cause foodborne illness and other factors that may contribute to foodborne illness; and (2) establish a food service sanitation program framework which controls risk factors. A secondary goal of the program is to satisfy reasonable customer expectations of food service establishment's sanitation.

### **THE STATE AND LOCAL PARTNERSHIP**

The regulatory program to prevent foodborne illness from food service establishments is a cooperative state and local government effort. Local health departments work on the front line to conduct plan reviews for new or remodeled food service establishments, issue licenses, conduct inspections, investigate complaints, initiate enforcement action, investigate foodborne illness outbreaks, and provide education and consultative services to the industry. The 45 local health departments (LHDs) regulate more than 47,000 food service establishments with approximately 400 managers and sanitarians.

The Michigan Department of Agriculture (MDA) provides oversight, guidance, and support to local health departments to carry out this program. The primary objective of MDA's Food Service Sanitation Section is to help make local health departments successful.

A local public health operations grant of \$8,977,500.00 is directed to local health through the Michigan Department of Community Health (MDCH). The grant helps fund the food service sanitation program. License fees and local tax dollars cover the remaining program costs.

MDA monitors and evaluates the uniformity of restaurant inspection and licensing through participation in the Michigan Local Public Health Accreditation Program.

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### **III. MICHIGAN LOCAL PUBLIC HEALTH ACCREDITATION PROGRAM**

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In the early 1990s, a broad consensus emerged that Michigan required a formal mechanism for evaluating the capacity and performance of local health departments for core capacity and services. A Michigan Department of Public Health (now Department of Community Health) committee deliberated on this issue, and recommended a single, streamlined accreditation process be developed and implemented as a means to monitor and evaluate local health departments.

In 1996, the Michigan Association for Local Public Health (MALPH) with administrative support from the Michigan Public Health Institute (MPHI), convened an Accreditation Steering Committee comprised of representatives from local health, state agencies, and other public health professionals. The steering committee created the Michigan Local Public Health Accreditation Program (Accreditation). The pilot self-assessment tool was released in 1997, and pilot site reviews were completed in 1998.

In January 1999, the Michigan Local Public Health Accreditation Program officially began the accreditation process for Michigan's local health departments. Accreditation operates on a three-year cycle. The first Accreditation review cycle of all 45 local health departments was completed in August 2001. The second cycle began in March of 2002.

A Michigan Local Public Health Accreditation Commission was created to assist in continuously improve the quality of local health departments, establish a uniform set of standards that defines public health and serves as a fair measurement, establish a process to ensure local health capacity to address core functions, and provide a mechanism for accountability. The Commission is composed of fourteen members:

- 1 Chair (Appointed by MPHI Board of Directors)
- 5 Local representatives including:
  - 3 from local public health
  - 2 from Michigan Association of Counties
- 1 Representative from MDA
- 2 Representatives from MDCH
- 1 Representative from MDEQ
- 2 At-Large Representatives

## 2 Representatives from the MPHI Board of Directors

The Michigan Department of Community Health (MDCH), the Michigan Department of Environmental Quality (MDEQ), and MDA conduct evaluations of 20 state/local public health programs under the accreditation program. The Michigan Local Public Health Accreditation Commission makes accreditation status recommendations to MDCH, MDEQ, and MDA.

Section H addresses the Food Service Sanitation program. Section H focuses on the following key elements: Plan review, inspections, licensing, complaints, enforcement, foodborne illness investigation, staff training and skills. There are a total of 14 minimum program requirements (MPRs) and 40 indicators. The MPRs and indicators are derived from the Michigan Food Law 2000.

More information on the Accreditation Program can be found at the web site: <http://www.accreditation.localhealth.net/>.

## PROCEDURES

At the beginning of the review cycle, MPHI prepares a schedule listing the week of evaluation for each local health department. MDCH, MDEQ, and MDA are required to complete program evaluations during the specified week.

The Michigan Local Public Health Accreditation Commission meets once per quarter. The Commission reviews local health department evaluations.

The following actions are taken:

- A local health department that meets all of the MPRs is granted “Fully Accredited” status.
- A local health department that meets all of the MPRs plus optional “Important Factors” is granted “Accredited with Commendation” status.
- A local health department in Cycle 1 who does not meet all of the MPRs is given a “Provisional Accredited” status until a Corrective Plan of Action (CPA) is approved, implemented, and a follow-up evaluation is made by the State agency.
- A local health department that has been accredited in Cycle 1 and has failed one or more MPRs in Cycle 2 remains accredited, however, the department must prepare a written CPA, successfully implement the plan, and be re-evaluated in order to maintain status.
- A local health department who does not successfully implement a CPA within one year of CPA approval is granted “Not Accredited” status.
- A “Consent Agreement” is prepared by a State agency for local health departments in “Not Accredited” status. The agreements are signed after a meeting with the state agency, local public health, and local governing officials. Past agreements have included a requirement to hire a private consultant to provide program direction, and an agreement for the local health department to pay the State the cost of re-evaluation.
- A local health department that is "Not Accredited" can obtain provisional status by successfully implementing the Consent Agreement.
- Administrative orders, issued pursuant to section 2497 of the Public Health Code, are used

for those departments who do not successfully execute the Consent Agreement.

### **Accreditation Quality Improvement Process (AQIP)**

The Michigan Local Public Health Accreditation Commission, at its December 2002 meeting, recommended that MDCH, MDEQ, and MDA develop a plan to improve the accreditation process. A pause in local health department Cycle 2 evaluations was instituted in February 2003. Thirteen local health departments were evaluated in Cycle 2 prior to the pause. The pause is expected to last until October 2003. During the pause, the three State agencies and local health will work together to preserve the gains achieved through the current accreditation process while recognizing current issues such as:

- Reduction of State funding levels to local health
- Increased local health role in urgent/emerging public health issues (i.e. homeland security, smallpox vaccinations, West Nile Virus, etc.)
- Program quality improvement versus enforcement approaches

The Michigan Local Public Health Accreditation Program encompasses over one-decade of joint state, local, and other stakeholder collaboration, research, and development. It provides a mechanism for both quality assurance and quality improvement. The accreditation program meets an existing need for program review while assuring local level capacity to address public health functions. Michigan's program serves as a national model and will continue to shape public health's future. As such, continuous improvement is key to meeting the changing needs and demands of the local public health system.

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## **IV. PROGRESS REPORT**

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A considerable amount of progress has been made since the last MDA appropriations report, dated March 1998 through September 2001. Local health departments have taken vast strides to improve the delivery of the food service sanitation program.

### **Local Health Department Accreditation Progress Summary**

<b>MDA Reporting Period</b>	<b>Number Fully Accredited LHDs</b>	<b>Number Provisionally Accredited LHDs</b>	<b>Number Not-Accredited LHDs</b>	<b>LHDs Pending Commission Action</b>
<b>3/98 – 9/01</b>	15 (33%)	25	2	3
<b>10/01 – 3/03</b>	34 (75%)	4	7	

1. All three of the departments pending commission action in the 98-01 reporting period did not meet food service MPRs.
2. Provisional status represents improvement for three of the four departments in the 01-03 reporting period. A re-evaluation has been scheduled for the third department.
3. Four of the seven departments that are currently "Not Accredited" fully meet food service MPRs. Noncompliance items involve MDCH and/or MDEQ programs. Therefore 87% of the local health departments meet food service program MPRs

## **STATUS OF THE FOUR "NOT ACCREDITED" DEPARTMENTS THAT DO NOT MEET FOOD SERVICE PROGRAM MPRS**

- One department believes the terms of their Consent Agreement have been met and has recently requested a re-evaluation.
- Two departments are working to complete the terms of their Consent Agreement.
- An Order, under the authority of the Public Health Code, has been drafted for one department who has not implemented a CPA and has not entered into a Consent Agreement.

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## **V. CONCLUSION**

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The Local Public Health Accreditation Program has had a very favorable impact upon the quality of food service sanitation programs as conducted by the 45 local health jurisdictions in Michigan. The achievements have not come easy.

- Local health departments have had to increase staffing levels, train staff accordingly, improve management oversight, develop written procedures, meet MPRS throughout the review cycle, conduct self-assessments, take corrective action, submit to a week-long evaluation procedure, and prepare CPAs when necessary. Some findings have led to greater awareness on the part of local Boards of Health and Boards of Commissioners that additional funding and/or staffing is necessary in order to assure food safety. Some Boards have also found it necessary to take a critical look at organizational structure and leadership in order to strengthen the program.
- MDA Food Service Sanitation Section staff conduct a local health department food service program evaluation every two weeks. Two to three staff members are required to complete the workload. The evaluations include a review of the records and an evaluation of a sample of food service establishments in the community. Staff conduct an exit interview, write the final report, provide training to local health department staff, review and approve CPAs, conduct re-evaluations, make presentations to local units of government and the Accreditation Commission, and draft Consent Agreements and Public Health Orders. MDA staff members conduct evaluations in a pressure environment where stakes are high.

The results are well worth the effort. The state/local partnership has been challenged, and has not only survived, but is stronger than ever. An equally strong working relationship has been fostered between MDCH, MDEQ, and MDA. Local health departments are far better prepared to provide core services. The food service sanitation program is conducted in accordance with the MPRS in over 87% of the local health jurisdictions; up from 33% in the last report. The compliance rate is expected to improve within the next few months as follow-up evaluations are completed.

The MDA supports the Accreditation Quality Improvement Process efforts currently underway. The pause in the evaluation process is not a setback, but an opportunity to increase the overall value of accreditation to local health departments and the food service sanitation program.

## Local Public Health Department Accreditation Status

### March 19, 2003

Health Department	Week of Initial* On-Site Review	Accreditation Status
Kalamazoo	3/4/02	Commendation
Branch-Hillsdale-St. Joseph DHD	4/8/02	Commendation
Marquette	5/6/02	Commendation
Lapeer	7/8/02	Commendation
Delta-Menominee	7/22/02	Commendation
Ottawa	8/19/02	Commendation
Muskegon	9/9/02	Commendation
Tuscola	9/23/02	Commendation
Grand Traverse	10/7/02	Commendation
Chippewa	10/21/02	Not Accredited
Huron	11/4/02	Provisional
VanBuren/Cass	11/18/02	Commendation
Sanilac	12/2/02	Commendation
District H.D. No.4	2/7/00	Provisional
St. Clair	2/28/00	Commendation
Bay	3/13/00	Not Accredited
Mid-Michigan	3/27/00	Commendation
Detroit	4/10/00	Commendation
District H.D. No.2	4/24/00	Commendation
Barry-Eaton	5/8/00	Commendation
Northwest Comm.	5/22/00	Not Accredited
LMAS DHD	6/5/00	Not Accredited
Shiawassee	6/19/00	Commendation
District H.D. No. 10	7/10/00	Provisional
Washtenaw	7/24/00	Commendation
Western U. P.	8/7/00	Commendation
Kent	12/20/00	Commendation
Berrien	9/11/00	Commendation
Benzie-Leelanau	9/25/00	Not Accredited
Dickinson-Iron	10/9/00	Not Accredited
Jackson	10/23/00	Commendation
Allegan	11/6/00	Not Accredited
Saginaw	11/27/00	Commendation
Genesee	12/11/00	Commendation
Ingham	2/26/01	Commendation
Calhoun	3/12/01	Commendation
Central Michigan	3/26/01	Commendation
Macomb	4/16/01	Commendation
Lenawee	5/7/01	Commendation
Ionia	5/21/00	Commendation
Livingston	6/4/01	Commendation
Midland	6/18/01	Commendation
Monroe	7/9/01	Commendation
Oakland	7/23/01	Commendation
Wayne	8/6/01	Provisional

\* On-site review dates do not include subsequent follow-up evaluations